

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DONSHEA LAVON RANSOM,

Plaintiff,

v.

SACRAMENTO POLICE
DEPARTMENT, *et al.*,

Defendants.

Case No. 2:23-cv-0638-JDP (P)

ORDER

On April 15, 2025, defendants filed a motion to dismiss. ECF No. 27. When plaintiff did not file a timely response, the court issued an order to show cause.¹ ECF No. 30. The court expressly warned plaintiff that she must file an opposition or statement of non-opposition to defendants' motion within twenty-one days or the court would dismiss this action for failure to prosecute and failure to comply with the local rules. The time for plaintiff to comply has passed without word from her. Accordingly, dismissal is warranted.

The court has the inherent power to control its docket and may, in the exercise of that power, impose sanctions where appropriate, including dismissal. *Bautista v. Los Angeles Cnty.*, 216 F.3d 837, 841 (9th Cir. 2000); *see* Local Rule 110 ("Failure of counsel or of a party to comply with these Rules or with any order of the Court may be grounds for imposition by the

¹ The parties consented to magistrate judge jurisdiction. ECF No. 29.

1 Court of any and all sanctions . . . within the inherent power of the Court.”).

2 A court may dismiss an action based on a party’s failure to prosecute an action, failure to
 3 obey a court order, or failure to comply with local rules. *See Ghazali v. Moran*, 46 F.3d 52, 53-54
 4 (9th Cir. 1995) (dismissal for noncompliance with local rule); *Ferdik v. Bonzelet*, 963 F.2d 1258,
 5 1260-61 (9th Cir. 1992) (dismissal for failure to comply with an order to file an amended
 6 complaint); *Carey v. King*, 856 F.2d 1439, 1440-41 (9th Cir. 1988) (dismissal for failure to
 7 comply with local rule requiring pro se plaintiffs to keep court apprised of address); *Malone v.*
 8 *U.S. Postal Serv.*, 833 F.2d 128, 130 (9th Cir. 1987) (dismissal for failure to comply with court
 9 order); *Henderson v. Duncan*, 779 F.2d 1421, 1424 (9th Cir. 1986) (dismissal for lack of
 10 prosecution and failure to comply with local rules).

11 In dismissing this action for failure to prosecute and failure to comply with court orders,
 12 the court has considered “(1) the public’s interest in expeditious resolution of litigation; (2) the
 13 court’s need to manage its docket; (3) the risk of prejudice to the defendants; (4) the public policy
 14 favoring disposition of cases on their merits; and (5) the availability of less drastic alternatives.”
 15 *Ferdik*, 963 F.2d at 1260-61 (citation omitted).

16 As laid out above, plaintiff has failed to prosecute and comply with the local rules.
 17 Therefore, the public interest in expeditious resolution of litigation, the court’s need to manage its
 18 docket, and the risk of prejudice to defendants all cut in favor of the sanction of dismissal. The
 19 court’s warning to plaintiff that failure to obey court orders will result in dismissal satisfies the
 20 “considerations of the alternatives” requirement.² *Ferdik*, 963 F.2d at 1262; *Malone*, 833 at 132-
 21 33; *Henderson*, 779 F.2d at 1424. Plaintiff had adequate warning that dismissal could result from
 22 her noncompliance. Accordingly, the court finds that the balance of factors weighs in favor of
 23 dismissal.

24 Accordingly, it is hereby ORDERED that:

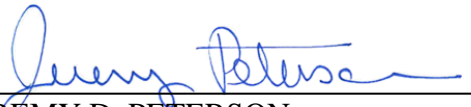
25 1. This action is DISMISSED without prejudice for failure to prosecute and failure to
 26 comply with local rules for the reasons set forth in the May 28, 2025 order.

27 _____
 28 ² The May 28, 2025 order expressly warned plaintiff that her failure to comply with court
 orders would result in dismissal. ECF No. 30.

1 2. The Clerk of Court is directed to close the case.

2
3 IT IS SO ORDERED.

4 Dated: July 2, 2025


JEREMY D. PETERSON
UNITED STATES MAGISTRATE JUDGE